

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

1 Valuation of Security 1 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 15-28862-JNP
Jennifer N Jean-Claude Judge: Jerrold N. Poslusny Jr

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 1/8/2019
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JR Initial Debtor: JJ Initial Co-Debtor:

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 560 per month to the Chapter 13 Trustee, starting on February 1, 2019 for approximately 3 more (of 42) months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$ 50 to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to Toyota (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ *
DOMESTIC SUPPORT OBLIGATION		
ATTORNEY FEE BALANCE	ADMINISTRATIVE	*((\$4950 paid to date) + \$700 pending supplemental fees

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Toyota Motor Credit	2009 Toyota Venza	\$8570.80	\$9000	NA	\$8570.80	NA	\$8570.80 as previously confirmed (\$6407.95 paid to date)

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
PennyMac Loan Services	823 Bentley Road, Lindenwold, NJ (stay vacate)	\$142,000	Unknown

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
☒ Not less than 0 percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Toyota Financial	2009 Toyota Venza	\$8570.80	\$9000	\$8570.80 including interest (as previously confirmed)	any remaining balance

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Joseph J. Rogers, Esquire
- 3) _____
- 4) _____

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: efiled 12/13/2016.

Explain below **why** the plan is being modified:
To extend length of plan.

Explain below **how** the plan is being modified:
Length of plan extended to cure trustee arrears.

\$18,115 paid to date + \$1500 pending. Total length of plan 42 months.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 1/10/19

/s/ Jennifer N Jean-Claude
Debtor

Date: _____

/s/
Joint Debtor

Date: 1/10/19

/s/ Joseph J. Rogers
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Jennifer N Jean-Claude
DebtorCase No. 15-28862-JNP
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 23

Date Rcvd: Jan 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 13, 2019.

db
515961830 +Jennifer N Jean-Claude, 823 Bentley Road, Lindenwold, NJ 08021-2913
American InfoSource LP as agent for, DIRECTV, LLC, PO Box 51178,
Los Angeles, CA 90051-5478

515778559 +Cesily L. Cannon, Law Office Of Greg Prosmushkin, 9637 Bustleton Avenue,
Philadelphia, PA 19115-3810

515790758 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
(address filed with court: Dell Financial Services, LLC, Resurgent Capital Services,
PO Box 10390, Greenville, SC 29603-0390)

515778561 ++DIRECTV LLC, ATTN BANKRUPTCIES, PO BOX 6550, GREENWOOD VILLAGE CO 80155-6550
(address filed with court: Directv, PO Box 6550, Greenwood Village, CO 80155-6550)

515778562 +Financial Recoveries, 200 E Park Dr Ste 100, Mount Laurel, NJ 08054-1297

515778563 +Kennedy Health System, 500 Marlboro Avenue, Cherry Hill, NJ 08002-2020

515778564 +Kimco, PO Box 5020, 3333 New Hyde Park Road Suite 100, New Hyde Park, NY 11042-1205

515778565 +Kimco Realty Corporation, 1954 Greenspring Drive Suite 330, Timonium, MD 21093-4136

515980845 +PENNYMAC LOAN SERVICES, LLC, 6101 CONDOR DRIVE, SUITE #310, MOORPARK, CA 93021-2602

515807415 +PennyMac Loan Services, LLC, C/O Aldridge Pite, LLP, Fifteen Piedmont Center,
3575 Piedmont Road, N.E., Suite 500, Atlanta, GA 30305-1636

515809505 +PennyMac Loan Services, LLC, c/o Aldridge Pite LLP, Bankruptcy Department,
Fifteen Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, GA 30305-1623

516493959 +PennyMac Mortgage Investment Trust Holdings I, LLC, c/o PennyMac Loan Services, LLC,
6101 Condor Drive, Suite 200, Moorpark, CA 93021-2602

515778566 +PennyMac Loan Services, 6101 Condor Dr, Moorpark, CA 93021-2602

515778567 +Powers Kirn LLC, 728 Marne Highway Suite 200, Moorestown, NJ 08057-3128

515778568 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
(address filed with court: Toyota Motor Credit, 4 Gatehall Dr Ste 350,
Parsippany, NJ 07054)

515872994 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 12 2019 00:22:05 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Jan 12 2019 00:22:03 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235

515798646 E-mail/Text: bankruptcy@cunj.org Jan 12 2019 00:21:52 Credit Union of New Jersey,
1301 Parkway Avenue, Ewing, NJ 08628

515778560 +E-mail/Text: bankruptcy@cunj.org Jan 12 2019 00:21:52 Credit Union Of N J, Po Box 7921,
Ewing, NJ 08628-0921

515789184 E-mail/PDF: gecsed@recoverycorp.com Jan 12 2019 03:46:21 Synchrony Bank,
c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605

515778569 +E-mail/Text: bankruptcydepartment@tsico.com Jan 12 2019 00:22:50 Transworld Sys Inc/09,
507 Prudential Rd, Horsham, PA 19044-2308

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515778570* ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
(address filed with court: Webbank/dfs, 1 Dell Way, Round Rock, TX 78682)

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 13, 2019

Signature: /s/Joseph Speetjens

District/off: 0312-1

User: admin
Form ID: pdf901

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Total Noticed: 23

Date Rcvd: Jan 11, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 10, 2019 at the address(es) listed below:

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Joseph J. Rogers on behalf of Debtor Jennifer N Jean-Claude jjresq@comcast.net,
jjresql@comcast.net
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Steven K. Eisenberg on behalf of Creditor PennyMac Holdings, LLC bkecf@sterneisenberg.com,
jmcnally@sterneisenberg.com/skelly@sterneisenberg.com/bkecf@sterneisenberg.com
William M. E. Powers, III on behalf of Creditor PennyMac Holdings, LLC ecf@powerskirn.com
William M.E. Powers on behalf of Creditor PennyMac Holdings, LLC ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor PennyMac Holdings, LLC ecf@powerskirn.com
TOTAL: 8